

THE AMENDMENT

Claims 40, 42-59, 61-63, 65-75 and 77-81 are in the case. Claims 40, 56 and 61 have been amended.

Support for the amendment to claims 40, 56 and 61 regarding “the first and second game outcomes not being combined to provide an outcome separate from the first and second game outcomes” can be found at ¶[45] on page 8, in the flowchart of Fig. 5, and at ¶[60] on page 11 of the original Specification, where it is clear that the outcome of one of the individual games does not influence the outcome of the other game and the individual outcomes are not combined with each other, i.e., players do not qualify to play a different game through their play on another machine (game), e.g., the play of the roulette game is completely independent of the play on the base game or slot machine.

Applicant respectfully submits that the Amendment does not introduce new matter and request that the Amendment be entered.

REMARKS

1. A Brief Summary of One Embodiment of Applicants' Invention

In one embodiment of Applicant's invention a game includes a table having a card betting layout located on a surface of the table. A roulette betting layout is located on the surface of the table. A roulette wheel is mounted to the table. The game allows wagering and playing a card game and a roulette game at the same time. A dealer operates the game. The games are independent of each other and are not combined to provide an outcome separate from the individual game outcomes.

2. Rejection of claims 40-44, 46, 48-51, 54-64, 66-70, 72, 74, 75, 77 and 79 under 35 USC §103(a) as being obvious over Brosnan et al. (U.S. Patent No. 6,656,040) in view of Astaneha (U.S. Patent No. 6,302,395).

Claims 40-44, 46, 48-51, 54-64, 66-70, 72, 74, 75, 77 and 79 stand rejected under 35 USC §103(a) as being obvious over Brosnan et al. in view of Astaneha. Applicants respectfully traverse the rejection.

Brosnan et al. appears to disclose playing of multiple games on a gaming device by allowing a player to start a new game before the outcome of the previous game is completed. Brosnan et al. does not disclose a dealer position but does include a master controller and slot/video displays. Brosnan et al. emphasizes the player role in all game activities (col 15:28-40 and col 16:13-30) and is silent regarding any participation of a dealer. The slot and video game emphasis of Brosnan et al. is further indication of the advantages of player control during game play versus active involvement of a house dealer (the latter feature upon which Brosnan et al. is silent).

Astaneha appears to disclose a combination dice, card and roulette gambling table where the combination of the numerical values generated by a dice game, a numbered card game and a rotating wheel game is used to obtain a final game outcome. Astaneha does not disclose use of a controller to determine a game outcome or game display. Astaneha emphasizes the interaction between various game components in determining the final game result, e.g., interactive result of die and card numbers, interaction of roulette and card results, interaction of roulette, card and dice results, interaction of two dice and roulette results, interaction of two cards and roulette results, interaction of two cards and die results, etc. There are no separate and independent game outcomes for the multiple individual games disclosed in Astaneha, only interactive results.

The Office relies on the combination of Brosnan et al. and Astaneha in rejecting independent claims 40, 56 and 61. Applicant respectfully submits that newly amended independent claims 40, 56 and 61 are not obvious over Brosnan et al. in view of Astaneha. In particular, Astaneha teaches the interactive combination of color (cards), die numbers and the wheel aspects of roulette to overcome the disadvantages of the individual games of dice and roulette – this is in direct contrast to Applicant's newly amended claims.

The Office contends that it would have been obvious to combine the features of Brosnan et al. and Astaneha to arrive at Applicant's claimed invention. However, in order for a proper combination of references to be used to establish a *prima facie* case of obviousness, there must be (a) some suggestion or incentive disclosed in the references themselves to support such modifications based on combination of references and (b) some reasonable expectation of success resulting from the combination (see MPEP 2142 and 2143).

Even if one of ordinary skill in the art were to combine the teachings of Brosnan et al. and Astaneha, the result would be contrary to Applicant's requirement of the first and second game outcomes not being combined to provide an outcome separate from the first and second game outcomes.

Accordingly, Applicant respectfully submits that a *prima facie* case of obviousness has not been established and requests withdrawal of the rejection under 35 USC §103(a) of independent claims 40, 56, 61 and their corresponding dependent claims (42-55, 57-59, 62-63, 65-75 and 77-81). Based on the arguments presented above, Applicant respectfully submits that the rejections have been overcome and requests allowance of the claims.

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Respectfully submitted,

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